

ADAM P. KOHSWEENEY (S.B. #229983)  
akohsweeney@omm.com  
SUSANNAH K. HOWARD (S.B. #291326)  
showard@omm.com  
O'MELVENY & MYERS LLP  
Two Embarcadero Center, 28th Floor  
San Francisco, CA 94111-3823  
Telephone: 415-984-8912  
Facsimile: 415-984-8701

Attorneys for Defendant  
US Airways, Inc.

Arlo García Uriarte, SBN 231764  
Un Kei Wu, SBN 270058  
Ernesto Sanchez, SBN 278006  
Brent A. Robinson, SBN 289373  
LIBERATION LAW GROUP, P.C.  
2760 Mission Street  
San Francisco, CA 94110  
Telephone: (415) 695-1000  
Facsimile: (415) 695-1006

Attorneys for Plaintiffs  
Joseph Timbang Angeles and Noe Lastimosa

*Attorneys Continued on Following Page*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

JOSEPH TIMBANG ANGELES, NOE  
LASTIMOSA, on behalf of themselves and  
on behalf of others similarly situated, and  
the general public,

Plaintiffs,

v.

US AIRWAYS, INC., and DOES 1  
through 50,  
Defendants.

Case No. 3:12-cv-05860 CRB

**JOINT STATEMENT IN ADVANCE OF  
FURTHER CASE MANAGEMENT  
CONFERENCE**

CMC Date: September 25, 2015  
Time: 8:30 A.M.  
Courtroom: 6  
Judge: Hon. Charles R. Breyer

1 ROBERT A. SIEGEL (S.B. #64604)  
rsiegel@omm.com  
2 O'MELVENY & MYERS LLP  
400 South Hope Street, 18th Floor  
3 Los Angeles, CA 90071-2899  
Telephone: 213-430-6000  
4 Facsimile: 213-430-6407

5 Attorneys for Defendant  
US Airways, Inc.  
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1 Plaintiffs Joseph Timbang Angeles and Noe Lastimosa (“Plaintiffs”) and Defendant US  
2 Airways, Inc. (“US Airways”), by and through their respective counsel, hereby state as follows:

3 **WHEREAS**, on April 4, 2014, this Court granted Plaintiffs’ Motion for Class  
4 Certification (dkt. 75);

5 **WHEREAS**, on February 9, 2015, the parties filed a Stipulation Re: Notice of Class  
6 Action and Exclusion Form (dkt. 86), containing a proposed form of notice to class members, as  
7 well as a form by which class members may opt-out of the class;

8 **WHEREAS**, on February 23, 2015, the Court approved the parties’ proposed class notice  
9 and exclusion form (dkt. 91);

10 **WHEREAS**, on March 20, 2015 this Court held a Further Case Management Conference,  
11 which was attended by counsel for both parties;

12 **WHEREAS**, the Court set a Further Case Management Conference for September 25,  
13 2015 at 8:30a.m. (dkt. 93);

14 **NOW, THEREFORE**, the parties hereby file this Joint Statement in Advance of Further  
15 Case Management Conference and state as follows:

16 1. The mailing of the Notice of Class Action and Exclusion Form to putative class  
17 members was completed on April 8, 2015, with an opt-out deadline of May 8, 2015.

18 2. The Notice was mailed to 568 putative class members and there have been  
19 seventeen (17) valid opt-outs.

20 3. The parties continue to believe that they will be able to resolve liability issues  
21 pertaining to Plaintiffs’ First Cause of Action (and other causes of action to the extent they are  
22 predicated on the First Cause of Action and do not involve separate or additional issues) through  
23 motion practice. To the extent necessary, the parties will be able to stipulate to hours worked and  
24 rates of pay for any potential damages issues. Accordingly, the parties currently believe that a  
25 trial pertaining to Plaintiffs’ First Cause of Action (and other causes of action to the extent they  
26 are predicated on the First Cause of Action and do not involve separate or additional issues) will  
27 be unnecessary or will only pertain to damages.

28 4. The parties have been negotiating a Stipulation of Undisputed Material Facts

1 regarding the First Cause of Action, which they expect to finalize by the end of September.

2 5. With respect to Plaintiffs' Second Cause of Action, since the last Further Case  
3 Management Conference on March 20, 2015, US Airways has produced over fifty thousand pages  
4 of documentation from US Airways' California stations regarding modifications to class  
5 members' scheduled hours. The parties are currently negotiating a schedule for depositions agree  
6 that they will need approximately four (4) months to schedule remaining depositions, after which  
7 the parties expect to engage in motion practice regarding decertification and/or summary  
8 judgment on Plaintiffs' Second Cause of Action (and other causes of action to the extent they are  
9 predicated on the Second Cause of Action). Accordingly, the parties propose the following  
10 schedule:

11 January 31, 2016: Deadline to complete depositions.

12 March 4, 2016: Deadline to file motion for decertification of class and for  
13 summary judgment.

14 March 25, 2016: Oppositions due.

15 April 8, 2016: Replies due.

16 April 22, 2016 Hearing on the parties' motions for summary judgment on  
17 Plaintiffs' Second Cause of Action and/or US Airways'  
18 motion for decertification (or as soon thereafter as the Court  
determines.)

19 6. Plaintiffs propose that trial be scheduled for June 2016. Defendant believes this  
20 should be latest date and that the trial should be scheduled earlier if feasible. Defendant also  
21 proposes that a Further Case Management Conference be scheduled following the Court's rulings  
22 on the parties' motions for summary judgment and for decertification, to set any remaining dates.

1 Dated: September 18, 2015

2 O'MELVENY & MYERS LLP  
3 ROBERT A. SIEGEL  
4 ADAM P. KOHSWEENEY

5 By: /s/ Adam P. KohSweeney  
6 Adam P. KohSweeney  
7 Attorneys for Defendant US Airways, Inc.

8 Dated: September 18, 2015

9 LIBERATION LAW GROUP, P.C.  
10 ARLO GARCIA URIARTE  
11 BRENT ROBINSON

12 By: /s/ Arlo Uriarte  
13 Arlo Garcia Uriarte  
14 Attorneys for Plaintiffs Joseph Timbang  
15 Angeles and Noe Lastimosa  
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**ATTESTATION OF FILING**

Pursuant to Local Civil Rule 5-1(i)(3), I, Adam P. KohSweeney, hereby attest that concurrence in the filing of this Stipulation has been obtained from each of the other signatories listed above.

Dated: September 18, 2015

O'MELVENY & MYERS LLP  
ROBERT A. SIEGEL  
ADAM P. KOHSWEENEY

By: /s/ Adam P. KohSweeney  
Adam P. KohSweeney  
Attorneys for Defendant US Airways, Inc.